



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Of:

Albert Charles McNamara

Patent No. 5,901,641

Issued: May 11, 1999

Serial No.: 10/072,001

Filing Date: February 8, 2002

Title: BAFFLE FOR DEEP FRYER
HEAT EXCHANGER

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Attorney Docket No.: P-109009(Reissue)

Examiner: Timothy F. Simone

Art Unit: 1761

Mail Stop Response

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION MAILED FEBRUARY 2, 2005

This correspondence is filed in response to the Final Office Action dated February 2, 2005, giving the Applicant three months in which to respond. As such, this response is timely and is intended as a full response to the Office Action.

Ownership

The examining attorney stated that the ownership has not been properly established for the application because the reel and frame number are incorrect on the Assignee Ownership/Consent Form filed by the applicant. Applicant respectfully traverses.

In its Assignee Ownership/Consent Form, a copy of which, downloaded from the U.S. Patent and Trademark Office web page, is attached hereto as Exhibit "A", a first assignment is documented as having been recorded on Reel 9611, Frame 0925 and a second assignment is documented as having been recorded on Reel 11064, Frame 0058.

As is seen on the Patent Assignment Abstract of Title, retrieved from the USPTO web site Patent Assignment Query System and attached hereto as Exhibit "B", a first assignment from Albert

C. McNamara to AFC Enterprises, Inc. was recorded on November 23, 1998 on Reel 009611, Frame 0925. A second assignment from AFC Enterprises, Inc. to Ultrafryer Systems, Inc. was recorded on August 24, 2000 on Reel 011064, Frame 0058.

Because the Reel and Frame numbers stated in the Assignee Ownership/Consent Form are in agreement with the Reel and Frame numbers shown on the USPTO Patent Assignment Abstract of Title, Applicant respectfully submits that it's Assignee Ownership/Consent Form is not defective and should be accepted by the examining attorney.

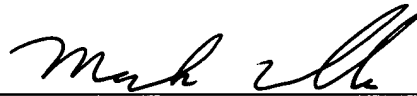
Oath/Declaration

The examining attorney also stated that the reissue declaration is defective because amendments in the patent have been made subsequent to the last declaration filed in this application.

Applicant submits in response, and encloses herein, its Supplemental Declaration under 37 CFR 1.175(b)(1).

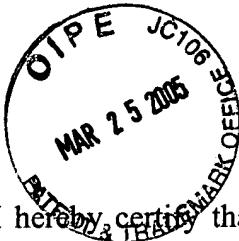
This response is intended to put the case in condition for allowance. If it does not, Applicant's attorney respectfully requests a telephone conference.

Respectfully submitted,
JACKSON WALKER L.L.P.



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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Mail Stop Response – No Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450," as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
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Date: <u>3-21</u> , 2005	Date: _____, 2005

Carolyn Gill

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Carolyn Gill

Signature of Person Mailing Paper

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

Albert Charles McNamara

Patent No. 5,901,641

Issued: May 11, 1999

Title: Baffle for Deep Fryer Heat Exchanger

Attorney Docket No. P-109009(Reissue)

Examiner: Timothy F. Simone

Group Art Unit: 1761



BOX REISSUE

Commissioner of Patents and Trademarks

Washington, D.C. 20231

ASSIGNEE OWNERSHIP/CONSENT FORM

To the Assistant Commissioner of Patents:

Proof of Assignee Ownership under 37 CFR 3.73

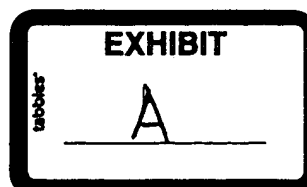
Albert Charles McNamara, inventor of U.S. Patent No. 5,901,641, assigned ownership rights to AFC Enterprises, Inc. on October 29, 1998, said assignment recorded on Reel 9611, Frame 0925. On June 1, 2000, AFC Enterprises assigned its ownership rights to U.S. Patent No. 5,901,641 to Ultrafryer Systems, Inc., said assignment recorded on Reel 11064, Frame 0058.

Consent of Assignee for Reissue Application under 37 CFR 1.172

Ultrafryer Systems, Inc., assignee of U.S. Patent No. 5,901,641 hereby consents to the filing of the present reissue application for U.S. Patent No. 5,901,641 and to the offer to surrender of U.S. Patent No. 5,901,641.

A handwritten signature in black ink, appearing to read "Ed Odmark".

Ed Odmark, President
Ultrafryer Systems, Inc.





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NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 2**Patent #:** 5901641 **Issue Dt:** 05/11/1999 **Application #:** 09184719 **Filing Dt:** 11/02/1998**Inventor:** ALBERT CHARLES MCNAMARA**Title:** BAFFLE FOR DEEP FRYER HEAT EXCHANGER**Assignment: 1****Reel/Frame:** 009611/0925**Recorded:** 11/23/1998**Pages:** 2**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** MCNAMARA, ALBERT C.**Exec Dt:** 10/28/1998**Assignee:** AFC ENTERPRISES, INC.

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Assignment: 2**Reel/Frame:** 011064/0058**Recorded:** 08/24/2000**Pages:** 4**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** AFC ENTERPRISES, INC.**Exec Dt:** 06/01/2000**Assignee:** ULTRAFRYER SYSTEMS, INC.

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EXHIBIT

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